



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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Commissioner

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July 20, 2007

In light of recent attention given to the Indiana Department of Environmental Management's (IDEM) wastewater permit to the BP refinery in Whiting, Indiana, I would like to provide the facts and clear up any misunderstandings.

The BP wastewater permit was issued in accordance with state and federal environmental laws, which are protective of human health and the environment. The state coordinated with EPA during this permitting process to ensure that the final permit was compliant with the Clean Water Act. On April 5, 2007, EPA issued a letter indicating that they had no objections to the permit being issued pursuant to the Clean Water Act.

There were several inaccuracies in the recent media reports. IDEM has provided no exceptions to environmental conditions for this facility. The wastewater treatment permit meets all state laws and regulations that apply to the facility and project. Many of the limits placed in the permit are actually more protective than required by federal law, because IDEM determined additional protections were necessary since the discharge point is in Lake Michigan. All wastewater at the facility must be treated before it is released. This discharge will not negatively affect drinking water, recreation or aquatic life in Lake Michigan.

Another inaccuracy referred to the Total Suspended Solids (TSS) limits as industrial sludge. TSS is not sludge. The TSS limits in the permit are similar to the limits a small city may have for a wastewater treatment facility. Sludge is not discharged into Lake Michigan. In fact, it must be properly disposed of so it does not come into contact with the water.

There has been a lot of attention given the limitations on ammonia in the discharge permit. IDEM applied a significantly more stringent approach than federal guidelines by limiting the permit to one-half the federal allowances.

The public was invited to participate in developing this permit. The public comment period lasted from March 16, 2007 through May 11, 2007, and included a public meeting at Whiting City Hall. The permit document was on file in several locations and posted on IDEM's Web site before the public meeting. IDEM issued the permit on June 21, 2007, and the public had 18 days to appeal the decision. No appeals were received.

Attached to this letter is a fact sheet with additional information. I would like to reiterate that this discharge permit will not negatively affect drinking water, recreation or aquatic life in Lake Michigan. Please feel free to contact my office with any questions.

Sincerely,

Thomas W. Easterly  
Commissioner

Attachment